

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)
)
)
)
 v.) CRIMINAL ACTION
) NO. 05-10003-NMG
)
 ARTHUR GIANELLI, ET AL,)
 Defendants,)
)

STATUS REPORT
September 21, 2005

SWARTWOOD, C.M.J.

The following is a Status Report to Gorton, J. to whom this case is assigned:

1. Discovery

The Government reports that it has completed its obligation for automatic discovery. However, the Government acknowledges that as a result of a change of plea for two of the Defendants, additional discovery will be made available to the Defendants. This case involves voluminous discovery including approximately 2,200 pages of wire tap and search warrant related affidavits, applications and orders. Counsel for some of the Defendants have completed a cursory review of the discovery produced by the Government, but have requested additional time to make a more thorough review of that discovery with the assistance of their clients. Three of the Defendants have either hired or have had

appointed new, successor counsel. These lawyers have requested additional time to review with their clients the discovery produced by the Government in this case. I have granted both requests.

2. Further Status Conference

A further status conference shall be held in this case on January 4, 2006, at 2:00 p.m., in Courtroom 1, Fifth Floor, Donohue Federal Building, United States Courthouse, 595 Main Street, Worcester, Massachusetts.

3. Excludable Time

At the request of the Government and without objection from counsel for the parties, I am excluding from the Speedy Trial Act, the period from September 21, 2005 (date of expiration of prior order of excludable time) through January 4, 2006 (date by which Defendants and their counsel will have completed their review of discovery produced by the Government in this case). Therefore, assuming no further order of excludable time under the plan for prompt disposition of criminal cases, this case must be tried on or before Wednesday, March 15, 2006.

/s/Charles B. Swartwood, III
CHARLES B. SWARTWOOD, III
CHIEF MAGISTRATE JUDGE